



United States Department of the Interior

FISH AND WILDLIFE SERVICE

ECOLOGICAL SERVICES  
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M.11 (EPA) Flower Creek Levee Project

August 11, 2008

Mr. Duc Nguyen  
On-Scene Coordinator  
Environmental Protection Agency  
1595 Wynkeep Ste  
Denver, Colorado 80202

Dear Mr. Nguyen:

This letter is in regard to the informal consultation for Environmental Protection Agency's (EPA) Libby Amphibole Asbestos removal project at the Flower Creek flood control levee structure near Libby, Montana. The U.S. Fish and Wildlife Service (Service) received the biological evaluation (BE) for bull trout and other listed species on August 6, 2008. We also received an email from you, dated August 6, 2008, that includes additional preventive measures that will be implemented with the installation and removal of the temporary bridge. We consider those preventative measures as part of the proposed action and supplemental information to the BE.

We have reviewed the BE and concur with the determination that the proposed project "may affect, but will not likely adversely affect" bull trout (*Salvelinus confluentus*) provided that the minimization and mitigation measures identified in the biological evaluation are implemented (e.g., timing restrictions, BMPs, temporary bridge preventive measures, etc). Our concurrence is based, in part, on information and analysis in the project's BE and on informal consultation discussions with you and other EPA staff.

This concludes section 7 consultation for the project unless new information reveals effects of the proposed action that may affect listed species in a manner or to and extent not considered. In addition, if the final project design is changed so as to have effects on threatened or endangered species, a revised evaluation may be required.

We appreciate the opportunity to work with EPA to minimize impacts to listed species and aid their recovery. If you have further questions about this letter or your responsibilities under the Endangered Species Act, please contact Tim Bodurtha (406-758-6882) or Lowell Whitney (406-758-6871).

Sincerely,

R. Mark Wilson

Copy to: USFWS, Kalispell, MT (Attn: Tim Bodurtha)